



U.S. Department  
of Transportation  
**Research and  
Special Programs  
Administration**

400 Seventh St., S.W.  
Washington, D.C. 20590

JUN 27 2001

DOT-E 5206  
(SIXTH REVISION)

EXPIRATION DATE: January 31, 2003

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Nelson Brothers, Inc.  
Birmingham, AL

(See Appendix A to this document for a list of additional grantees)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of a Division 1.5D material contained in privately operated bulk hopper-type units. This exemption provides no relief from any Hazardous Materials Regulation (HMR) other than as specifically stated herein.

b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 173.3(a) and (b), 173.24(c) and 173.60.

5. BASIS: This exemption is based on the application of Nelson Brothers, Inc. dated April 30, 2001, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

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Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Ammonium nitrate-fuel oil mixture containing only prilled ammonium nitrate and fuel oil	1.5D	NA0331	II

NOTE: Each 1.5D material is to be identified to and acknowledged in writing by the Office of Hazardous Materials Exemptions and Approvals (OHMEA) prior to first shipment.

7. SAFETY CONTROL MEASURES:

PACKAGING - Packagings prescribed are privately operated bulk hopper-type units equipped with mechanical unloading devices which conform with descriptions given in Monsanto Company's letters dated January 20, 1967, April 13, 1967, April 1, 1968, May 12, 1972, April 9, 1973, and April 23, 1968, telegram on file with OHMEA. Vehicles transporting units must be equipped with a rear bumper designed and fabricated to protect the units and appurtenances and to minimize the possibility of damages which may affect the integrity of the hopper body. Dimensions of bumper must be as prescribed in § 393.86.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.

b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

c. MARKING - Each container must be plainly marked on the right side near the front, in letters at least two inches high on a contrasting background, "DOT-E 5206."

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

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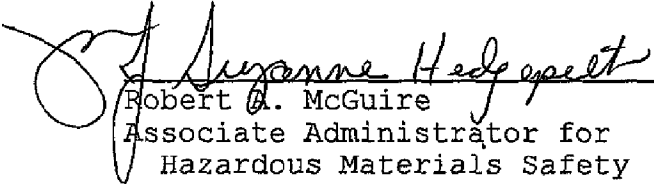
10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard motor vehicle used to transport packages covered by this exemption.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
  - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:

  
Robert A. McGuire  
Associate Administrator for  
Hazardous Materials Safety

JUN 27 2001

(DATE)

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Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.  
Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

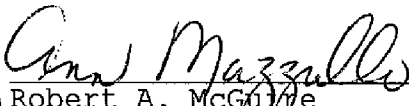
Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, S.W., Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

PO: KFW/sln

JUL 17 2001

The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate:

Company Name City/State	Application Date	Issue Date	Expiration Date
Austin Powder Company Cleveland, OH	3/5/2001	3/23/2001	1/31/2003
El Dorado Chemical Co. St. Louis, MO	4/25/2001	5/23/2001	1/31/2003
Intermountain West Energy, Inc., Boise, ID	2/9/2001	2/12/2001	1/31/2003
Kintex, Inc. Madisonville, KY	3/26/2001	4/5/2001	1/31/2003
Ladshaw Explosives, Inc. New Braunfels, TX	4/30/2001	5/23/2001	1/31/2003
Nelson Brothers, LLC Birmingham, AL	4/30/2001	6/27/2001	1/31/2003
Orica/Nelson Quarry Services, Inc. Birmingham, AL	4/30/2001	6/27/2001	1/31/2003
Orica USA, Inc. Englewood, CO	4/27/2001	5/23/2001	1/31/2003
R&R Trucking, Inc. Duenweg, MO	4/5/2001	JUL 17 2001	1/31/2003

  
Robert A. McGuire  
Associate Administrator for  
Hazardous Materials